

Attorney's Docket No. 760-3

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**Box Patent Application**

Assistant Commissioner for Patents

Washington, D.C. 20231

NEW APPLICATION TRANSMITTAL

Transmitted herewith for filing is the patent application of

Inventor(s): 1-0 Etal
Scott Smith; David Sogard; Susan Shoemaker

For (title): IMPROVED COVERED STENT

CERTIFICATION UNDER 37 CFR 1.10

I hereby certify that this New Application Transmittal and the documents referred to as enclosed herein are being deposited with the United States Postal Service on this date, September 27, 1996, in an envelope as "Express Mail to Addressee" Mailing Label Number EH494217662US, addressed to the Commissioner of Patents and Trademarks, Washington, D.C. 20231.

Kathleen Goodhand

Name of person mailing paper

Kathleen Goodhand

Signature of person mailing paper

1. Type of Application

This new application is a(n):

- ☒ Original (nonprovisional) application.
- ☐ Design application.
- ☐ Plant application.
- ☐ Divisional application.
- ☐ Continuation application.
- ☐ Continuation-in-part (CIP) application.

2. Benefit of Prior U.S. Application(s) (35 U.S.C. 119(e), 120, or 121)

- ☐ This new application claims the benefit of prior U.S. application(s), and enclosed are "Added Pages for New Application Transmittal for Which Benefit of Prior U.S. Application(s) is (are) Claimed."

3. Papers Enclosed Which are Required to Obtain Application Filing Date under 37 CFR 1.53(b) (Regular) or 37 CFR 1.153 (Design)

13 Pages of specification
4 Pages of claims
1 Pages of Abstract
7 Sheets of drawings
☐ formal
☒ informal

- ☐ The enclosed drawing(s) include photograph(s), and there is also attached a "Petition to Accept Photograph(s) as Drawings." 37 CFR 1.84(b).

4. Additional Papers Enclosed

- ☐ Preliminary Amendment
- ☐ Information Disclosure Statement (37 CFR 1.98)
- ☐ Form PTO-1449
- ☐ Citations
- ☐ Declaration of Biological Deposit

- ☐ Submission of "Sequence Listing," computer readable copy and/or amendment pertaining thereto for biotechnology invention containing nucleotide and/or amino acid sequence
- ☐ Authorization of Attorney(s) to Accept and Follow Instructions from Representative
- ☐ Special Comments
- ☐ Power of Attorney
- ☐ Other

5. Declaration or Oath

- ☐ A Declaration or Oath is enclosed:

Executed by (check all applicable boxes)

- ☐ inventor(s).
 - ☐ legal representative(s) of inventors(s) (37 CFR 1.42 or 1.43).
 - ☐ joint inventor or person showing a proprietary interest on behalf of inventor who refused to sign or cannot be reached.
 - ☐ This transmittal serves as the petition required under 37 CFR 1.47, and the statement required under 37 CFR 1.47 is also enclosed. See item 13 below for fee.
- ☐ A Declaration or Oath was filed on _____ in prior application 0 / _____, filed on _____, from which benefit is being claimed for this application under 35 U.S.C. 120 or 121. The subject matter disclosed in the present application is the same as that disclosed in the prior application, and the inventors are the same or less than those named in the prior application. Accordingly, no new Oath or Declaration is required.
- ☐ A copy of the Oath or Declaration in the prior application is enclosed.
- ☒ A Declaration or Oath is not enclosed.
- ☐ Application is made by a person authorized under 37 CFR 1.41(c) on behalf of *all* the above named inventor(s).
 - ☐ Showing that the filing is authorized.
- ☐ A Power of Attorney is included in the Declaration or Oath.

6. Language

This new application is written in:

☒ English.

☐ A non-English language: _____.

☐ A verified translation is enclosed (37 CFR 1.52(d)).

7. Assignment

☒ An assignment of the invention to SCIMED Life Systems, Inc.
One SCIMED Place; Maple Grove, MN 55311-1566

☐ is enclosed. A separate:

☐ "Cover Sheet for Assignment (Document) Accompanying New Patent Application" is enclosed.

☐ Form PTO-1595 is enclosed.

☐ was made in prior application No. 08/_____, filed on _____.

☐ A copy of the assignment (and any recordation cover sheet) is enclosed.

☒ will follow.

8. Certified Copy

☐ This application claims priority from one or more foreign applications. Certified copy(ies) of application(s):

(country)	(application number)	(filing date)
(country)	(application number)	(filing date)
(country)	(application number)	(filing date)

from which priority is claimed:

☐ is (are) enclosed.

☐ will follow.

9. Fee Calculation (37 CFR 1.16)

A. ☒ Regular application

CLAIMS AS FILED					
Number filed	Number extra		Rate		Basic Fee (37 CFR 1.16(a)) \$750.00
Total Claims (37 CFR 1.16(c))	23	- 20 = 3	X	\$ 22.00	= \$ 66.00
Independent Claims (37 CFR 1.16(b))	3	- 3 = 0	X	\$ 78.00	= \$ 0
Multiple Dependent Claims (37 CFR 1.16(d))			+	\$250.00	= \$ 0

☐ Amendment canceling extra claims enclosed.

☐ Amendment deleting multiple-dependencies enclosed.

☐ Fee for extra claims is not being paid at this time.

Filing Fee Calculation \$ 816.00

B. ☐ Design application
(\$310.00 (37 CFR 1.16(f)))

Filing Fee Calculation \$ _____

C. ☐ Plant application
(510.00 (37 CFR 1.16(g)))

Filing Fee Calculation \$ _____

10. Request for International-Type Search (37 CFR 1.104(d))

☐ Please prepare an international-type search report for this application at the time national examination on the merits takes place. See item 13 for fee.

11. Small Entity Statement(s)

☐ Verified Statement(s) that this is a filing by a small entity under 37 CFR 1.9 and 1.27 is (are) enclosed.

☐ Status as a small entity was claimed in prior application 08/____, filed on _____, from which benefit is being claimed for this application under:

- ☐ 35 U.S.C. 119(e),
- ☐ 35 U.S.C. 120,
- ☐ 35 U.S.C. 121,
- ☐ 35 U.S.C. 365(c),

and which status as a small entity is still proper and desired.

☐ A copy of the verified statement in the prior application is enclosed.

Filing Fee Calculation (50% of A, B, or C above)

\$_____

12. Fee Payment Being Made at This Time

☐ Not enclosed. No filing fee is to be paid at this time.

☒ Enclosed:

☒ Basic filing fee \$ 816.00

☐ Fee for recording Assignment
(\$40.00 (37 CFR 1.21(h))) \$ _____

☐ Petition fee for filing by other than all
of the inventors or person on behalf of
the inventor where inventor refused to
sign or cannot be reached.
(\$130.00 (37 CFR 1.47 and 1.17(h))) \$ _____

☐ Fee for processing an application having a
specification in a non-English language.
(\$130.00 (37 CFR 1.52(d) and 1.17(k))) \$ _____

☐ Processing and retention fee
(\$130.00 (37 CFR 1.53(d) and 1.21(l))) \$ _____

☐ Fee for international-type search report
(\$40.00 (37 CFR 1.21(e))) \$ _____

Total fees enclosed \$ 816.00

13. Method of Payment of Fees

- ☒ Check in the amount of \$ 816.00.
- ☐ Charge Deposit Account No. 08-2461 in the amount of \$ _____.
A duplicate of this transmittal is enclosed.

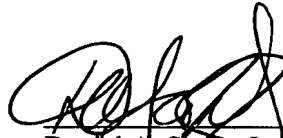
14. Authorization to Charge Additional Fees

- ☒ The Commissioner is hereby authorized to charge the following additional fees by this paper and during the entire pendency of this application to Deposit Account No. 08-2461:
- ☒ 37 CFR 1.16(a), (f), or (g) (filing fees)
- ☒ 37 CFR 1.16(b), (c), and (d) (presentation of extra claims)
- ☐ 37 CFR 1.16(e) (surcharge for filing the basic fee and/or declaration at a date later than the filing date of the application)
- ☐ 37 CFR 1.17 (application processing fees)

A duplicate of this transmittal is enclosed.

15. Instructions as to Overpayment

- ☒ Credit Deposit Account 08-2461.
- ☐ Refund.



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☐ **Incorporation by reference of added pages**

☐ Plus Added Pages for New Application Transmittal Where Benefit of Prior U.S.
Application(s) is Claimed referred to in item 2 above
Number of pages added _____

☐ **No Further Pages Added**

☒ This transmittal ends with this page.

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